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Freedom of Information Act - [5 U.S.C. 552(b)]

- B-1 National security classified information [(b)(1) of the FOIA]
- B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- B-3 Release would violate a Federal statute [(b)(3) of the FOIA]
- B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

E.O. 13233

C. Closed in accordance with restrictions contained in donor's deed of gift.

THE WHITE HOUSE
WASHINGTON

May 3, 1983

APPOINTMENT PROCESS PERSONAL INTERVIEW RECORD

DATE OF INTERVIEW: Numerous Meetings in April
CANDIDATE: Seeley G. Lodwick
POSITION: Commissioner, U.S. International Trade Commission
INTERVIEWER: John G. Roberts *gjr*

Comments

Seeley G. Lodwick is to be nominated a Commissioner of the International Trade Commission (ITC). Under 19 U.S.C. § 1330(c)(5), "[n]o commissioner shall actively engage in any business, vocation, or employment other than that of serving as a commissioner."

[REDACTED] b6
The Office of Government Ethics (per Jane Ley) has concurred in this determination.

The ITC enabling statute provides that "Not more than three of the commissioners shall be members of the same political party, and in making appointments members of different political parties shall be appointed alternately as nearly as may be practicable." Two of the three sitting commissioners are Republicans, so Lodwick would fill the Republican quota. Since the last two appointments went to Republicans, Lodwick should not be appointed until the appointment of a non-Republican commissioner. Joe Ryan of Presidential Personnel advises me that two independent nominees are ready to be sent up, and if confirmed they can be appointed immediately prior to Lodwick.

[REDACTED] b7c

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

May 4, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *✓DR*

SUBJECT: Complaint Concerning Naval Reserve Program

[REDACTED] has been retained by [REDACTED] to represent the interests of a [REDACTED] in challenging certain practices of the Naval Reserve System. (The relationship between [REDACTED] is unclear.)

[REDACTED] objects at length to the practice whereby paid naval reservists are given the option after several years in the reserve of shifting to a non-pay status and preserving accrued, non-vested retirement benefits or leaving the reserve and forfeiting the non-vested benefits.

[REDACTED] legal arguments against the practice -- based on equitable estoppel, age discrimination, augmentation of appropriations, equal protection, and even the Thirteenth Amendment -- are not persuasive but neither are they entirely frivolous.

[REDACTED] requests immediate reinstatement of his client to a pay billet, with a thinly-veiled threat in the penultimate paragraph of his letter to challenge the practice on a Department-wide basis if this is not done. He notes that efforts to resolve the matter "informally with the Navy Department" have been unproductive.

I recommend simply referring the matter to Will Taft for appropriate action, with a brief letter to [REDACTED] advising him of this disposition. Our office certainly should not get involved in such a specific matter at such a preliminary stage.

Attachments

THE WHITE HOUSE

WASHINGTON

May 4, 1983

MEMORANDUM FOR WILLIAM H. TAFT IV
GENERAL COUNSEL
DEPARTMENT OF DEFENSE

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Challenge to Naval Reserve Practices

The attached letter raising legal challenges to certain naval reserve practices is forwarded to you for appropriate action.

Attachment

FFF:JGR:aw 5/4/83

cc: FFFielding
JGRoberts
Subj.
Chron

THE WHITE HOUSE

WASHINGTON

May 4, 1983

Dear [REDACTED]

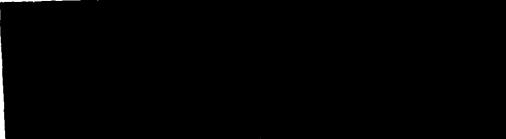
b6

We have received your letter of April 5, 1983, presenting your views on certain practices of the naval reserve programs and requesting relief for your client. That letter has been forwarded to the Department of Defense for whatever consideration or action might be appropriate.

Sincerely,

Fred F. Fielding
Counsel to the President

b6



FFF:JGR:aw 5/3/83

cc: FFFielding
JGRoberts
Subj.
Chron

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

May 5, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *✓*SUBJECT: Meese Request for Draft Response to
Letter Concerning [REDACTED] and OJJDP b6

Mr. Meese has requested a draft response to a letter sent him by Robert L. Smith, a recently retired deputy director of the National Institute of Corrections (NIC) and purportedly an acquaintance of Mr. Meese's from Alameda County. In his letter Mr. Smith sings the praises of NIC and registers has disappointment at the nomination of [REDACTED] for OJJDP.

[REDACTED]

b6

There really is not much for Mr. Meese to say in response other than thanking Smith for his contribution to and views on NIC, and expressing his confidence in [REDACTED] for OJJDP.

b6

Attachments

THE WHITE HOUSE

WASHINGTON

May 5, 1983

Dear Bob:

Thank you for your recent letter concerning the National Institute of Corrections [REDACTED] b6

[REDACTED] I appreciate having the benefit of your views on the National Institute of Corrections. Since those views are based on your three decades of work in the field, they merit and you may rest assured they will receive careful consideration.

[REDACTED] b6
[REDACTED]

Thank you again for taking the time to share your views with us.

Sincerely,

Edwin Meese III
Counsellor to the President

Mr. Robert L. Smith
2007 O Street, NW
Apt. 501
Washington, D.C. 20036